

Assembly Bill No. 120

Passed the Assembly August 30, 2006

Chief Clerk of the Assembly

Passed the Senate August 23, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 2684 of, and to add Article 6.5 (commencing with Section 2676) to Chapter 5.7 of Division 2 of, the Business and Professions Code, relating to physical therapy, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 120, Cohn. Physical therapy: continuing education.

Existing law, the Physical Therapy Practice Act, licenses and regulates the practice of physical therapy by the Physical Therapy Board of California, and establishes educational requirements for licensure of physical therapists and approval of physical therapist assistants. Existing law requires that all fees and penalties collected by the board be credited to the Physical Therapy Fund, a continuously appropriated fund, to pay for expenses of administering the act. It makes a violation of the act's provisions a crime.

This bill would require a person who renews his or her physical therapy license or physical therapy assistant approval to submit proof of completion of continuing education hours or other proof of continuing competency, as established by the board, and would require the board to adopt and administer regulations to ensure continuing competency of physical therapists and physical therapy assistants, as specified.

This bill, by allowing the board to fund the license renewal program through license fees and fees assessed on the continuing education providers, which would be credited to the Physical Therapy Fund, would make an appropriation. The bill would also clarify that holders of approvals are required to disclose criminal convictions upon application for renewal.

Because a violation of this bill's provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 6.5 (commencing with Section 2676) is added to Chapter 5.7 of Division 2 of the Business and Professions Code, to read:

Article 6.5. Continuing Education and Competency

2676. (a) A person renewing his or her license or approval shall submit proof satisfactory to the board that, during the preceding two years, he or she has completed the required number of continuing education hours established by regulation by the board, or such other proof of continuing competency as the board may establish by regulation. Required continuing education shall not exceed 30 hours every two years.

(b) The board shall adopt and administer regulations including, but not limited to, continuing education intended to ensure the continuing competency of persons licensed or approved pursuant to this chapter. The board may establish different requirements for physical therapists and physical therapist assistants. The board may not require the completion of an additional postsecondary degree or successful completion of an examination as a condition of renewal, but may recognize these as demonstrative of continuing competency. This program shall include provisions requiring random audits of licensees and holders of approval in order to ensure compliance.

(c) The administration of this section may be funded through professional license fees, continuing education provider and course approval fees, or both. The fees shall not exceed the amounts necessary to cover the actual costs of administering this section.

SEC. 2. Section 2684 of the Business and Professions Code is amended to read:

2684. (a) Notwithstanding Section 2422, any license or approval for the practice of physical therapy shall expire at 12 a.m. on the last day of the birth month of the licensee or holder of

the approval during the second year of a two-year term, if not renewed.

(b) To renew an unexpired license or approval, the licensee or the holder of the approval shall, on or before the dates on which it would otherwise expire, apply for renewal on a form prescribed by the board, pay the prescribed renewal fee, and submit proof of the completion of continuing education or competency required by the board pursuant to Article 6.5 (commencing with Section 2676). The licensee or holder of the approval shall disclose on his or her license renewal application any misdemeanor or other criminal offense for which he or she has been found guilty or to which he or she has pleaded guilty or no contest.

(c) A license or approval that has expired may be renewed within five years upon payment of all accrued and unpaid renewal fees and satisfaction of the requirements described in subdivision (b).

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2006

Governor